

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Bechnault

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/20/11</u>
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BASSAM Y. ALGHANIM,

Plaintiff,

v.

KUTAYBA Y. ALGHANIM, OMAR K.
ALGHANIM, ALGHANIM INDUSTRIES
COMPANY W.L.L., YUSUF AHMED
ALGHANIM AND SONS W.L.L., and
WALEED MOUBARAK,

Defendants.

09 Civ. 8098 (NRB) (AJP)

STIPULATION AND ORDER

WHEREAS, on January 11, 2010, the Court so ordered a stipulation between Plaintiff and Defendants Alghanim Industries Company W.L.L. and Yusuf Ahmed Alghanim and Sons W.L.L. (collectively, the "Corporate Defendants") whereby the Corporate Defendants would have twenty-one (21) days after the Court's entry of its decision on the motions filed by Defendants Kutayba Y. Alghanim, Omar K. Alghanim and Waleed Moubarak to answer, move or otherwise respond to the Amended Complaint [Docket No. 36];

WHEREAS, the Court entered its decision on these motions on November 28, 2011 [Docket No. 58] (the "November 28, 2011 Order");

WHEREAS, Plaintiff has agreed to further extend the time for the Corporate Defendants to answer, move or otherwise respond to the Amended Complaint on the terms set forth herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED between Plaintiff and the Corporate Defendants that:

1. The Corporate Defendants' time to answer, move or otherwise respond to the Amended Complaint is adjourned pending Plaintiff's counsel's notification to counsel for the Corporate Defendants of Plaintiff's decision as to whether he will consent to a stay of this action with respect to the Corporate Defendants under the terms applicable to defendants Omar K. Alghanim and Waleed Moubarak pursuant to the November 28, 2011 Order.

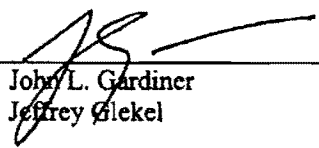
2. If Plaintiff decides he will not consent to such a stay, the Corporate Defendants shall have forty-five (45) days to answer, move or otherwise respond to the Amended Complaint, commencing from the date that counsel for Plaintiff notifies counsel for the Corporate Defendants of that decision in writing.

3. The Corporate Defendants' agreement to this stipulation shall not be deemed a waiver of any right of the Corporate Defendants and shall not preclude or limit in any way the Corporate Defendants from making any argument or motion, including without limitation a motion to dismiss for lack of personal jurisdiction, in response to the Amended Complaint other than as to the sufficiency of service on the Corporate Defendants of the Amended Complaint.

Dated: December 19, 2011

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP

by

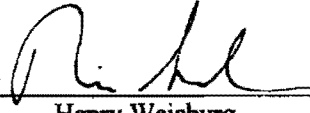

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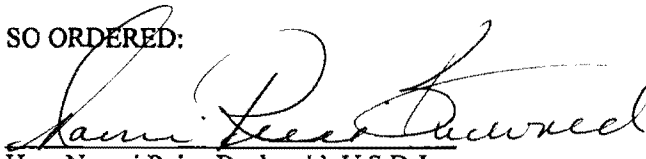
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*Counsel for Defendants Alghanim Industries
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Alghanim and Sons W.L.L.*

SO ORDERED:



Hon. Naomi Reice Buchwald, U.S.D.J.

12/20/11